

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Serafino Randazzo

Debtor,

Case No. 16-22500-rdd
Chapter 13

Hon. Judge Robert D. Drain

**DEBTOR'S AFFIDAVIT IN SUPPORT OF MOTION FOR VOLUNTARY
DISMISSAL OF CHAPTER 13 CASE PURSUANT TO 11 U.S.C. §1307(b)**

**TO: THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE**

STATE OF NEW YORK)
) SS
COUNTY OF WESTCHESTER)

FILED
U.S. BANKRUPTCY COURT
2016 APR 26 A 8:36
S.D. OF N.Y.

I, Serafino Randazzo, being duly sworn deposes and states the following to be true:

1. I am the Debtor in the within chapter 13 bankruptcy case and I reside at 10 Tall Pines Lane, Mount Vernon, NY 10549.
2. Debtor moves this court for an order dismissing the above-entitled bankruptcy case pursuant to 11 U.S.C. § 1307(b).
3. The above-entitled case was commenced by the filing of a voluntary petition under chapter 13 on April 13, 2016 and has not been converted under 11 U.S.C. §§ 706, 1112, or 1208.
4. Jeffrey Sapir was appointed as the Chapter 13 Trustee and a 341(a) meeting has been scheduled to be held on May 20, 2016 at 12:30 PM.

5. I filed my case on the morning of a scheduled sale of my real property located at 3 West Street, Mt. Kisco, New York in order to stop the foreclosure sale of my property and to obtain the Courts protection while applying for a mortgage loan modification.

6. I was not aware of the scheduled foreclosure sale date of my property until the day prior to my filing.

7. Unfortunately because this case was my third bankruptcy filing within a one-year period, the foreclosure referee refused to stop the foreclosure sale and proceeded to sell my property.

8. I am in the process of being approved for a loan modification on my other properties but cannot proceed until I obtain a Dismissal of my bankruptcy case.

9. No previous Motion for the relief requested herein has been made to this or any other Court.

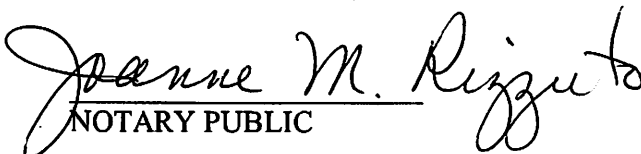
WHEREFORE, the Debtor respectfully requests the entry of an Order:

- (1) Dismissing my chapter 13 case
- (2) To grant such other relief as the Court deems just.


Serafino Randazzo

Sworn to before me

This 22 day of April 2016


NOTARY PUBLIC

JOANNE M. RIZZUTO
Notary Public, State of New York
No. 01RI5078399
Qualified in Westchester County
Term Expires May 27, 2019

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**ORDER DISMISSING DEBTOR'S CHAPTER 13 CASE
PURSUANT TO 11 U.S.C. §1307(b)**

Upon the motion, dated April 21, 2016 (the "Motion"), of Serafino Randazzo, the Debtor herein (the "Debtor") acting on his own behalf without an attorney, for an order dismissing his chapter 13 closed it is:

ORDERED that this case is dismissed.

ORDERED that the Clerk shall notify all parties in interest of the entry of this order.

Dated: White Plains, New York

Honorable Robert D. Drain
United States Bankruptcy Judge